

CEFALU, also known as "Italian Dom," "Dominic," "Dom from 18<sup>th</sup> Avenue" and "The Greaseball," JOSEPH COROZZO, also known as "JoJo" and "Miserable," MARIO CASSARINO, also known as "Lanza," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," JOHN D'AMICO, also known as "Jackie the Nose" and "Jackie," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," ROBERT EPIFANIA, also known as "Bobby the Jew," LOUIS FILIPPELLI, ERNEST GRILLO, also known as "Ernie," "Eyes" and "Baldy," and VINCENT PACELLI, also known as "Vinny Basile," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: cash and check payments relating to the operation of John Doe #4's Staten Island cement company, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

#### COUNT TWELVE

(Theft of Union Benefits Conspiracy - Teamsters Local 282)

248. In or about and between November 2004 and December 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants

MARIO CASSARINO, also known as "Lanza," and SARAH DAURIA, together with others, did knowingly and intentionally conspire to commit offenses against the United States, to wit: embezzling, stealing and unlawfully abstracting and converting to their own use, moneys, funds, securities, premiums, credits, property and other assets of the International Brotherhood of Teamsters Local 282 Health and Welfare Benefit Fund, an employee welfare benefit plan subject to Title I of ERISA, and the International Brotherhood of Teamsters Local 282 Pension Fund, an employee pension benefit plan subject to Title I of ERISA, the objects of said conspiracy being violations of Title 18, United States Code, Section 664.

249. In furtherance of the conspiracy and to effect its objectives, within the Eastern District of New York and elsewhere, the defendants MARIO CASSARINO, also known as "Lanza," and SARAH DAURIA, together with others, committed and caused to be committed, among others, the following:

OVERT ACTS

a. On or about December 8, 2004, the defendant MARIO CASSARINO spoke on the telephone with a trucker in his employ and instructed him not to sign into union jobs when possible.

b. On or about December 9, 2004, the defendant MARIO CASSARINO spoke on the telephone with a trucker in his

employ concerning the submission of paperwork and hours in connection with work on a union job.

c. On or about February 1, 2005, the defendant SARAH DAURIA spoke with the defendant MARIO CASSARINO and informed him of steps she was taking to falsify trucking records.

d. On or about February 3, 2005, the defendant SARAH DAURIA represented a trucking company controlled by MARIO CASSARINO in an audit performed by the International Brotherhood of Teamsters Local 282.

e. On or about February 3, 2005, the defendant SARAH DAURIA spoke to the defendant MARIO CASSARINO about the results of the audit.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT THIRTEEN

(Theft of Union Benefits - Teamsters Local 282)

250. In or about and between November 2004 and December 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MARIO CASSARINO, also known as "Lanza," and SARAH DAURIA, together with others, did knowingly and intentionally embezzle, steal and unlawfully abstract and convert to their own use, moneys, funds, securities, premiums, credits, property and other assets of the International Brotherhood of Teamsters Local 282 Health and Welfare Benefit Fund, an employee welfare benefit plan

subject to Title I of ERISA, and the International Brotherhood of Teamsters Local 282 Pension Fund, an employee pension benefit plan subject to Title I of ERISA.

(Title 18, United States Code, Sections 664, 2 and 3551 et seq.)

COUNT FOURTEEN

(Mail Fraud Conspiracy - Teamsters Local 282)

251. In or about and between November 2004 and December 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MARIO CASSARINO, also known as "Lanza," and SARAH DAURIA, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud Local 282 Funds and the employees covered by labor contracts with Local 282 who were participants in the Local 282 Funds and to obtain money and property, to which the Local 282 Funds and participants were entitled, by means of false and fraudulent pretenses, representations and promises, to wit: contributions to the Local 282 Funds and the contractual right to have such contributions made on behalf of such employees.

252. It was part of the scheme and artifice that the defendants MARIO CASSARINO and SARAH DAURIA, together with others, would and did submit and cause to be submitted false information regarding hours worked by employees covered by labor contracts with Local 282, claiming that certain hours had been

worked by such employees who had, in fact, worked more hours, thereby under reporting and under paying contributions to the Local 282 Funds which were owed to the funds and required to be made on behalf of the employees.

253. For the purpose of executing the scheme and artifice, the defendants MARIO CASSARINO and SARAH DAURIA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: remittances to the Local 282 Funds, in violation of Title 18, United States Code, Sections 1341 and 2.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT FIFTEEN

(Mail Fraud - Teamsters Local 282)

254. In or about and between November 2004 and December 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MARIO CASSARINO, also known as "Lanza," and SARAH DAURIA, together with others, did knowingly and intentionally devise a scheme and artifice to defraud Local 282 Funds and the employees covered by labor contracts with Local 282 who were participants in the Local 282 Funds and to obtain money and property, to which the Local 282 Funds and participants were entitled, by means of false and fraudulent pretenses, representations and promises, to

wit: contributions to the Local 282 Funds and the contractual right to have such contributions made on behalf of such employees.

255. It was part of the scheme and artifice that the defendants MARIO CASSARINO and SARAH DAURIA, together with others, would and did submit and cause to be submitted false information regarding hours worked by employees covered by labor contracts with Local 282, claiming that certain hours had been worked by such employees who had, in fact, worked more hours, thereby under reporting and under paying contributions to the Local 282 Funds which were owed to the funds and required to be made on behalf of the employees.

256. For the purpose of executing the scheme and artifice, the defendants MARIO CASSARINO and SARAH DAURIA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: remittances to the Local 282 Funds.

(Title 18, United States Code, Sections 1341, 2 and 3551 et seq.)

COUNT SIXTEEN

(False Statements - Teamsters Local 282)

257. In or about and between November 2004 and December 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant

MARIO CASSARINO, also known as "Lanza," together with others, in documents required by Title I of ERISA to be kept as part of the records of the Local 282 Funds, did make and cause to be made false statements and representations of fact, knowing them to be false, and did knowingly conceal, cover up and fail to disclose facts and cause to be concealed, covered up, and not disclosed, facts the disclosure of which was necessary to verify, explain, clarify and check for accuracy and completeness the Internal Revenue Forms 5500 filed by the Local 282 Funds, which forms are required by Title I of ERISA to be published and filed annually with the Secretary of Labor, by submitting, and causing to be submitted, remittance reports to the Local 282 Funds which falsely reported the number of hours worked by employees covered by labor contracts with Local 282 and falsely reported the amounts of money due and owing the Local 282 Funds.

(Title 18, United States Code, Sections 1027, 2 and 3551 et seq.)

COUNT SEVENTEEN  
(Extortion Conspiracy - Schiavone Work)

258. In or about and between February 2005 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, ANTHONY DELVESCOVO, also known as "Anthony Delvecchio," and MICHAEL KING, together with others, did knowingly and intentionally conspire to obstruct, delay and

affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: cash and check payments relating to John Doe #4's work for Schiavone Construction Company, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT EIGHTEEN  
(Extortion - Schiavone Work)

259. In or about and between February 2005 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, ANTHONY DELVESCOVO, also known as "Anthony Delvecchio," and MICHAEL KING, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: cash and check payments relating to John Doe #4's work for Schiavone Construction Company, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)



COUNT NINETEEN

(Extortion Conspiracy - Mayrich Construction Site)

260. On or about and between April 1, 2005 and June 28, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant GINO CRACOLICI, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendant and others agreed to obtain property, to wit: cash and check payments relating to John Doe #4's work at a Mayrich Construction site, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWENTY

(Extortion - Mayrich Construction Site)

261. On or about and between April 1, 2005 and June 28, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant GINO CRACOLICI, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendant and others obtained property, to wit: cash and check payments relating to John Doe #4's work at a Mayrich Construction site, from John Doe #4, with

the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT TWENTY-ONE

(Extortion - ADCO Electrical Corporation Debt)

262. On or about April 29, 2005, within the Eastern District of New York and elsewhere, the defendant WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendant and others obtained property, to wit: a check payment relating to an alleged debt owed by John Doe #4 to ADCO Electrical Corporation, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT TWENTY-TWO

(Extortionate Collection of Credit  
ADCO Electrical Corporation)

263. On or about April 29, 2005, within the Eastern District of New York and elsewhere, the defendant WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others,

knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #4.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-THREE  
(Extortion Conspiracy - Pump Truck)

264. In or about and between June 2005 and July 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," and LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money relating to John Doe #4's pump truck business, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWENTY-FOUR  
(Attempted Extortion - Pump Truck)

265. In or about and between June 2005 and July 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," and LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: money relating to John Doe #4's pump truck business, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT TWENTY-FIVE  
(Extortion - El Camino Trucking Debt)

266. On or about June 8, 2005, within the Eastern District of New York and elsewhere, the defendant WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by

extortion, in that the defendant and others obtained property, to wit: money relating to an alleged debt owed by John Doe #4 to El Camino Trucking Corporation, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT TWENTY-SIX  
(Extortionate Collection of Credit  
El Camino Trucking)

267. On or about June 8, 2005, within the Eastern District of New York and elsewhere, the defendant WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #4.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT TWENTY-SEVEN  
(Extortion Conspiracy - Construction List)

268. In or about and between July 2005 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The

Conductor," "Nike," "Uncle" and "Fatso," ERNEST GRILLO, also known as "Ernie," "Eyes" and "Baldy," ANTHONY O'DONNELL, also known as "Tony O," and ANGELO RUGGIERO, JR., also known as "Ang," "Little Ang" and "Junior," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money, from a number of individuals and companies in the construction industry, whose identities are known to the grand jury, with the consent of those individuals, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWENTY-EIGHT

(Attempted Extortion - Construction List)

269. In or about and between July 2005 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," ERNEST GRILLO, also known as "Ernie," "Eyes" and "Baldy," ANTHONY O'DONNELL, also known as "Tony O," and ANGELO RUGGIERO, JR., also known as "Ang,"

"Little Ang" and "Junior," did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: money, from a number of individuals and companies in the construction industry, whose identities are known to the grand jury, with the consent of those individuals, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT TWENTY-NINE  
(Illegal Gambling - Bookmaking)

270. In or about and between September 2005 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH CASIERE, also known as "Joe Rackets," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DONNIS, VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," CODY FARRELL, RONALD FLAM, JOSEPH GAGGI, also known as "Joe Gag," ANTHONY GIAMMARINO, also known as "Buckwheat," CHRISTOPHER HOWARD, STEVEN IARIA, also known as "Stevie I," "John," "Simon," "Herman" and

"Alan," JOHN KASGORGIS, LANCE MOSKOWITZ, JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," JOHN PISANO, also known as "Johnny Red Rose," GUILIO POMPONIO, also known as "Gino," RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," JERRY ROMANO, EDWARD SOBOL, also known as "Eddie," and JOHN REGIS, also known as "John Reeg" and "Reeg," together with others, knowingly and intentionally conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a gambling business involving bookmaking, which operated in violation of the laws of the State of New York, to wit: New York Penal Law Sections 225.05, 225.10(1) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days and had a gross revenue of at least \$2,000 in any single day.

(Title 18, United States Code, Sections 1955, 2 and 3551 et seq.)

#### COUNT THIRTY

(Honest Services Mail Fraud Conspiracy - Laborers' Local 325)

271. On or about and between September 16, 2005 and July 14, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA, also known as



"Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and LOUIS MOSCA, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud Local 325 and its members and to obtain property, to wit: a LIUNA membership card issued to a person not entitled to journeyworker membership in the union, by means of false and fraudulent pretenses, representations and promises and to deprive them of the intangible right to the honest services of MOSCA, including the honest services MOSCA owed to Local 325 and its members pursuant to Section 501(a) of the LMRDA, the LIUNA Ethical Practices Code, and the Uniform Local Union Constitution of the LIUNA, in violation of Title 18, United States Code, Sections 1341 and 1346.

272. It was part of the scheme and artifice to defraud that the defendant LOUIS MOSCA agreed to accept and accepted a thing of value from John Doe #4 with the intent to be influenced in his decisions regarding the admission of an individual to membership in Local 325 and the placement of the individual in a job.

273. For the purpose of executing the scheme and artifice, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA and LOUIS MOSCA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit:

written information pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card, in violation of Title 18, United States Code, Sections 1341 and 2.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT THIRTY-ONE

(Honest Services Mail Fraud - Laborers' Local 325)

274. On or about and between September 16, 2005 and July 14, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and LOUIS MOSCA, together with others, did knowingly and intentionally devise a scheme and artifice to defraud Local 325 and its members and to obtain property, to wit: a LIUNA membership card issued to a person not entitled to journeyworker membership in the union, by means of false and fraudulent pretenses, representations and promises and to deprive them of the intangible right to the honest services of the defendant LOUIS MOSCA, including the honest services MOSCA owed to Local 325 and its members pursuant to Section 501(a) of the LMRDA, the LIUNA Ethical Practices Code, and the Uniform Local Union Constitution of the LIUNA.

275. It was part of the scheme and artifice to defraud that the defendant LOUIS MOSCA agreed to accept and

accepted a thing of value from John Doe #4 with the intent to be influenced in his decisions regarding the admission of an individual to membership in Local 325 and the placement of the individual in a job.

276. For the purpose of executing the scheme and artifice, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA and LOUIS MOSCA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: written information pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card.

(Title 18, United States Code, Sections 1341, 1346, 2 and 3551 et seq.)

COUNT THIRTY-TWO

(Embezzlement of Union Assets Conspiracy - Laborers' Local 325)

277. On or about and between September 16, 2005 and July 14, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and LOUIS MOSCA, together with others, did knowingly and intentionally conspire to commit offenses against the United States, to wit: embezzle, steal and unlawfully and willfully abstract and convert to their own use the moneys, funds, securities, property, and other assets of Local 325, to wit: an

application document pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card, in exchange for approximately \$2,000, the objects of said conspiracy being violations of Title 29, United States Code, Section 501(c).

278. In furtherance of the conspiracy and to effect its objectives, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA and LOUIS MOSCA and others committed and caused to be committed, among others, the following:

OVERT ACTS

a. On or about September 16, 2005, the defendant LEONARD DIMARIA asked John Doe #4 to acquire union work for the defendant JOSEPH AGATE.

b. On or about March 6, 2006, the defendant NICHOLAS CALVO met with John Doe #4 to discuss obtaining union work for the defendant JOSEPH AGATE.

c. On or about March 15, 2006, the defendants NICHOLAS CALVO and LOUIS MOSCA and John Doe #4 met to discuss obtaining union work for the defendant JOSEPH AGATE.

d. On or about March 28, 2006, the defendants JOSEPH AGATE, NICHOLAS CALVO, LOUIS MOSCA and John Doe #4 met to discuss the union work MOSCA was to secure for AGATE.

e. On or about July 14, 2006, John Doe #4 paid the defendant LOUIS MOSCA \$2,000 in cash in return for MOSCA's assistance in acquiring union work for the defendant JOSEPH AGATE.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT THIRTY-THREE

(Embezzlement of Union Assets - Laborers' Local 325)

279. On or about and between September 16, 2005 and July 14, 2006, in the Eastern District of New York and elsewhere, the defendants JOSEPH AGATE, NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and LOUIS MOSCA, together with others, while MOSCA was an officer of Local 325, did embezzle, steal and unlawfully and willfully abstract and convert to their own use the moneys, funds, securities, property, and other assets of Local 325, to wit: an application document pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card, in exchange for approximately \$2,000.

(Title 29, United States Code, Section 501(c); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THIRTY-FOUR

(Extortionate Collection of Credit Conspiracy - John Doe #6)

280. In or about and between November 2005 and May 2006, both dates being approximate and inclusive, within the

Eastern District of New York and elsewhere, the defendants RUSSELL FERRISI, also known as "One Eye," "Dead Eye" and "Russ," JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe #6.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT THIRTY-FIVE

(Extortionate Collection of Credit - John Doe #6)

281. In or about and between November 2005 and May 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RUSSELL FERRISI, also known as "One Eye," "Dead Eye" and "Russ," JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #6.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT THIRTY-SIX  
(Extortion Conspiracy - Granite Halmar)

282. On or about and between November 11, 2005 and December 2, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants VINCENT AMARANTE, also known as "Elmo," STEVEN SABELLA and MICHAEL URCIUOLI, also known as "Mike the Electrician," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money related to John Doe #4's work for Granite Halmar, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT THIRTY-SEVEN  
(Attempted Extortion - Granite Halmar)

283. On or about and between November 11, 2005 and December 2, 2005, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants VINCENT AMARANTE, also known as "Elmo," STEVEN SABELLA and MICHAEL URCIUOLI, also known as "Mike the Electrician," together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles

and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: money related to John Doe #4's work for Granite Halmar, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THIRTY-EIGHT

(Extortion Conspiracy - NASCAR Construction Site)

284. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants FRANK CALI, MARIO CASSARINO, also known as "Lanza," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," DOMENICO CEFALU, also known as "Italian Dom," "Dominic," "Dom from 18<sup>th</sup> Avenue" and "The Greaseball," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ERNEST GRILLO, also known as "Ernie," "Eyes" and "Baldy," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: cash payments relating to John Doe



#4's work at a Staten Island NASCAR construction site, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT THIRTY-NINE

(Extortion - NASCAR Construction Site)

285. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants FRANK CALI, MARIO CASSARINO, also known as "Lanza," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," DOMENICO CEFALU, also known as "Italian Dom," "Dominic," "Dom from 18<sup>th</sup> Avenue" and "The Greaseball," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ERNEST GRILLO, also known as "Ernie," "Eyes" and "Baldy," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: cash payments relating to John Doe #4's work at a Staten Island NASCAR construction site, from John Doe #4, with the consent of John Doe

#4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FORTY

(Extortion Conspiracy - Excavation Company)

286. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: check payments relating to John Doe #4's excavation company, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FORTY-ONE  
(Extortion - Excavation Company)

287. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: check payments relating to John Doe #4's excavation company, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FORTY-TWO  
(Extortion Conspiracy - Cracolici Dispute)

288. On or about and between January 1, 2006 and March 17, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants GINO CRACOLICI, ANTHONY LICATA, also known as

"Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," and WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FORTY-THREE

(Attempted Extortion - Cracolici Dispute)

289. On or about and between January 1, 2006 and March 17, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants GINO CRACOLICI, ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," and WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain

property, to wit: money, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FORTY-FOUR

(Extortionate Extension of Credit Conspiracy - Cracolici Dispute)

290. On or about and between January 1, 2006 and March 17, 2006, within the Eastern District of New York and elsewhere, the defendants GINO CRACOLICI, ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," and WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, knowingly and intentionally conspired to make an extortionate extension of credit to John Doe #4.

(Title 18, United States Code, Sections 892(a) and 3551 et seq.)

COUNT FORTY-FIVE

(Extortionate Extension of Credit - Cracolici Dispute)

291. On or about and between January 1, 2006 and March 17, 2006, within the Eastern District of New York and elsewhere, the defendants GINO CRACOLICI, ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," and WILLIAM SCOTTO, also known as "Billy" and "Big Billy," together with others, knowingly and

intentionally made an extortionate extension of credit to John Doe #4.

(Title 18, United States Code, Sections 892(a), 2 and 3551 et seq.)

COUNT FORTY-SIX

(Extortion Conspiracy - Kilgannon Payoff)

292. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants WILLIAM KILGANNON and TODD POLAKOFF, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: a \$9,000 check payment relating to John Doe #4's work at a Staten Island NASCAR construction site, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FORTY-SEVEN

(Extortion - Kilgannon Payoff)

293. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants

WILLIAM KILGANNON and TODD POLAKOFF, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: a \$9,000 cash payment relating to John Doe #4's work at a Staten Island NASCAR construction site, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FORTY-EIGHT

(Theft of Union Benefits Conspiracy - Teamsters Local 282)

294. In or about and between January 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," together with others, did knowingly and intentionally conspire to commit offenses against the United States, to wit: embezzling, stealing and unlawfully abstracting and converting to their own use, moneys, funds, securities, premiums, credits, property and other assets of the International Brotherhood of Teamsters Local 282 Health and Welfare Benefit Fund, an employee welfare benefit plan subject to Title I of ERISA, and the International Brotherhood of Teamsters Local 282 Pension Fund, an employee pension benefit

plan subject to Title I of ERISA, the objects of said conspiracy being violations of Title 18, United States Code, Section 664.

295. In furtherance of the conspiracy and to effect its objectives, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, together with others, committed and caused to be committed, among others, the following:

OVERT ACTS

a. On or about March 20, 2007, the defendant ANTHONY LICATA caused Night Hawk Enterprise, Inc. to submit by mail a renewal application for license or registration as a trade waste business to the Business Integrity Commission of the City of New York.

b. On or about December 3, 2007, the defendant ANTHONY LICATA caused Aragon Enterprises Inc. to submit by mail false information to the Local 282 Funds regarding hours worked by employees covered by labor contracts with Local 282.

c. On or about January 28, 2008, the defendant ANTHONY LICATA caused Aragon Enterprises Inc. to submit by mail false information to the Local 282 Funds regarding hours worked by employees covered by labor contracts with Local 282.

(Title 18, United States Code, Sections 371 and 3551 et seq.)



COUNT FORTY-NINE

(Theft of Union Benefits - Teamsters Local 282)

296. In or about and between February 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," together with others, did embezzle, steal and unlawfully and willfully abstract and convert to their own use, moneys, funds, securities, premiums, credits, property and other assets of the International Brotherhood of Teamsters Local 282 Health and Welfare Benefit Fund, an employee welfare benefit plan subject to Title I of ERISA, and the International Brotherhood of Teamsters Local 282 Pension Fund, an employee pension benefit plan subject to Title I of ERISA, and of funds connected with such employee benefit plans.

(Title 18, United States Code, Sections 664, 2 and 3551 et seq.)

COUNT FIFTY

(Mail Fraud Conspiracy - Teamsters Local 282)

297. In or about and between February 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," together with

others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud the Local 282 Funds and employees covered by labor contracts with Local 282 who were participants in the Local 282 Funds and to obtain money and property, to which the Local 282 Funds and participants were entitled, by means of false and fraudulent pretenses, representations and promises, to wit: contributions to the Local 282 Funds and the contractual right to have such contributions made on behalf of such employees.

298. It was part of the scheme and artifice that the defendant ANTHONY LICATA, together with others, would and did submit and cause to be submitted false information to the Local 282 Funds regarding hours worked by employees covered by labor contracts with Local 282, claiming that certain hours had been worked by such employees who had, in fact, worked more hours, thereby under reporting and under paying contributions to the Local 282 Funds which were owed to the funds and required to be made on behalf of the employees.

299. For the purpose of executing the scheme and artifice, the defendant ANTHONY LICATA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail

matter, to wit: remittance reports and checks payable to the Local 282 Funds, in violation of Title 18, United States Code, Sections 1341 and 2.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT FIFTY-ONE  
(Mail Fraud - Teamsters Local 282)

300. In or about and between February 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," together with others, did knowingly and intentionally devise a scheme and artifice to defraud the Local 282 Funds and employees covered by labor contracts with Local 282 who were participants in the Local 282 Funds and to obtain money and property, to which the Local 282 Funds and participants were entitled, by means of false and fraudulent pretenses, representations and promises, to wit: contributions to the Local 282 Funds and the contractual right to have such contributions made on behalf of such employees.

301. It was part of the scheme and artifice that the defendant ANTHONY LICATA, together with others, would and did submit and cause to be submitted false information to the Local 282 Funds regarding hours worked by employees covered by labor contracts with Local 282, claiming that certain hours had been

worked by such employees who had, in fact, worked more hours, thereby under reporting and under paying contributions to the Local 282 Funds which were owed to the funds and required to be made on behalf of the employees.

302. For the purpose of executing the scheme and artifice, the defendant ANTHONY LICATA and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: remittance reports and checks payable to the Local 282 Funds.

(Title 18, United States Code, Sections 1341, 2 and 3551 et seq.)

COUNT FIFTY-TWO  
(False Statements - Teamsters Local 282)

303. In or about and between February 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant ANTHONY LICATA, also known as "Cheeks," "Anthony Firehawk," "Anthony Nighthawk," "Nighthawk" and "Firehawk," together with others, in documents required by Title I of ERISA to be kept as part of the records of the Local 282 Funds, did make and cause to be made false statements and representations of fact, knowing them to be false, and did knowingly conceal, cover up and fail to disclose facts and cause to be concealed, covered up, and not disclosed, facts the disclosure of which was necessary to verify,

explain, clarify and check for accuracy and completeness the Internal Revenue Forms 5500 filed by the Local 282 Funds, which forms are required by Title I of ERISA to be published and filed annually with the Secretary of Labor, by submitting, and causing to be submitted, remittance reports to the Local 282 Funds which falsely reported the number of hours worked by employees covered by labor contracts with Local 282 and falsely reported the amounts of money due and owing the Local 282 Funds.

(Title 18, United States Code, Sections 1027, 2 and 3551 et seq.)

COUNT FIFTY-THREE

(Extortionate Collection of Credit Conspiracy - John Doe #7)

304. In or about and between March 2006 and April 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe #7.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT FIFTY-FOUR

(Extortionate Collection of Credit - John Doe #7)

305. In or about and between March 2006 and April 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #7.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT FIFTY-FIVE

(Extortionate Collection of Credit Conspiracy - John Doe #8)

306. In or about and between March 2006 and May 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," and TARA VEGA, also known as "Big Tara," together with others, knowingly and

intentionally conspired to use extortionate means to collect an extension of credit from John Doe #8.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT FIFTY-SIX

(Extortionate Collection of Credit - John Doe #8)

307. In or about and between March 2006 and May 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," and TARA VEGA, also known as "Big Tara," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #8.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT FIFTY-SEVEN

(Extortionate Collection of Credit Conspiracy - John Doe #9)

308. In or about and between April 2006 and May 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat

Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe #9.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT FIFTY-EIGHT

(Extortionate Collection of Credit - John Doe #9)

309. In or about and between April 2006 and May 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JAMES OUTERIE, also known as "Big Guy," "Tall Guy," "Treetop," "Top," "Jamesie" and "Bob," and RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #9.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT FIFTY-NINE

(Extortion Conspiracy - Liberty View Harbor Construction Site)

310. In or about and between April 2006 and June 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and



"Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ANTHONY SCIBELLI, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: cash and check payments and business assets relating to John Doe #4's work at the Liberty View Harbor construction site, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SIXTY

(Extortion - Liberty View Harbor Construction Site)

311. In or about and between April 2006 and June 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ANTHONY SCIBELLI, together with others, did knowingly and

intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: cash and check payments and business assets relating to John Doe #4's work at the Liberty View Harbor construction site, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SIXTY-ONE  
(Money Laundering Conspiracy)

312. In or about and between May 2006 and June 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ARTHUR ZAGARI, together with others, did knowingly and intentionally conspire to conduct financial transactions, in and affecting interstate commerce, which in fact involved the proceeds of specified unlawful activity, to wit: monies taken by extortion, in violation of Title 18, United States Code, Section

1951, knowing that the property involved in the financial transactions, to wit: proceeds of the extortion of John Doe #4 with respect to his excavation company and his work at the Liberty View Harbor construction site, represented the proceeds of some form of unlawful activity, knowing that the financial transactions were designed in whole and in part to conceal and disguise the nature, location, source ownership and control of the proceeds of the specified unlawful activity.

(Title 18, United States Code, Sections 2, 1956(a) (1) (B) (i), 1956(h) and 3551 et seq.)

COUNT SIXTY-TWO  
(Money Laundering)

313. In or about and between October 2006 and December 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," and ARTHUR ZAGARI, together with others, did knowingly and intentionally conduct financial transactions, in and affecting interstate commerce, which in fact involved the proceeds of specified unlawful activity, to wit: monies taken by extortion, in violation of Title 18, United States Code, Section 1951,

knowing that the property involved in the financial transactions, to wit: proceeds of the extortion of John Doe #4 with respect to his excavation company and his work at the Liberty View Harbor construction site, represented the proceeds of some form of unlawful activity, knowing that the financial transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of the specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(1)(B)(i), 2 and 3551 et seq.)

COUNT SIXTY-THREE

(Extortionate Collection of Credit Conspiracy - John Doe #10)

314. In or about and between May 2006 and September 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally conspired to use extortionate means to collect an extension of credit from John Doe #10.

(Title 18, United States Code, Sections 894(a)(1) and 3551 et seq.)

COUNT SIXTY-FOUR

(Extortionate Collection of Credit - John Doe #10)

315. In or about and between May 2006 and September 2006, both dates being approximate and inclusive, within the

Eastern District of New York and elsewhere, the defendant RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #10.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT SIXTY-FIVE

(Extortionate Collection of Credit John Doe #11)

316. In or about and between June 2006 and September 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RICHARD RANIERI, also known as "Fat Richie," "Big Richie," "Joe," "Richie" and "Rich," together with others, knowingly and intentionally participated in the use of extortionate means to collect and attempt to collect an extension of credit from John Doe #11.

(Title 18, United States Code, Sections 894(a)(1), 2 and 3551 et seq.)

COUNT SIXTY-SIX

(Extortion Conspiracy - Recycling Facility)

317. In or about and between June 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants

NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," and LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money, from the principals of a Staten Island recycling facility, the identity of which is known to the grand jury, with the consent of the principals, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SIXTY-SEVEN

(Attempted Extortion - Recycling Facility)

318. In or about and between June 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," and LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and

commodities in commerce, by extortion, in that the defendant and others attempted to obtain property, to wit: money, from the principals of a Staten Island recycling facility, the identity of which is known to the grand jury, with the consent of the principals, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SIXTY-EIGHT

(Extortion Conspiracy - John Doe #4 and John Doe #12)

319. In or about and between July 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JEROME BRANCATO, also known as "Jerry," JOSEPH CHIRICO, also known as "Joe Marco Polo," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money relating to John Doe #12, from John Doe #4, with the consent of John Doe #4, which consent was to be

induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SIXTY-NINE

(Extortion - John Doe #4 and John Doe #12)

320. In or about and between July 2006 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JEROME BRANCATO, also known as "Jerry," JOSEPH CHIRICO, also known as "Joe Marco Polo," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: money relating to John Doe #12, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)



COUNT SEVENTY

(Honest Services Mail Fraud Conspiracy - Laborers' Local 731)

321. On or about and between July 5, 2006 and November 27, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and MICHAEL KING, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud Local 731 and its members and to obtain property, to wit: a LIUNA membership card issued to a person not entitled to journeyworker membership in the union, by means of false and fraudulent pretenses, representations and promises and to deprive them of the intangible right to the honest services of the defendant MICHAEL KING, including the honest services KING owed to Local 731 and its members pursuant to Section 501(a) of the LMRDA, the LIUNA Ethical Practices Code, and the Uniform Local Union Constitution of the LIUNA, in violation of Title 18, United States Code, Sections 1341 and 1346.

322. It was part of the scheme and artifice to defraud that the defendant MICHAEL KING agreed to accept and accepted a thing of value from John Doe #4 with the intent to be influenced in his decisions regarding the admission of an individual to membership in Local 731 and the placement of the individual in a job.

323. For the purpose of executing the scheme and artifice, the defendants NICHOLAS CALVO, LEONARD DIMARIA and MICHAEL KING and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: written information pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT SEVENTY-ONE

(Honest Services Mail Fraud - Laborers' Local 731)

324. On or about and between July 5, 2006 and November 27, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and MICHAEL KING together with others, did knowingly and intentionally devise a scheme and artifice to defraud Local 731 and its members and to obtain property, to wit: a LIUNA membership card issued to a person not entitled to journeyworker membership in the union, by means of false and fraudulent pretenses, representations and promises and to deprive them of the intangible right to the honest services of the defendant MICHAEL KING, including the honest services KING owed to Local 731 and its members pursuant to Section 501(a) of the LMRDA, the

LIUNA Ethical Practices Code, and the Uniform Local Union Constitution of the LIUNA.

325. It was part of the scheme and artifice to defraud that the defendant MICHAEL KING agreed to accept and accepted a thing of value from John Doe #4 with the intent to be influenced in his decisions regarding the admission of an individual to membership in Local 731 and the placement of the individual in a job.

326. For the purpose of executing the scheme and artifice, the defendants NICHOLAS CALVO, LEONARD DIMARIA and MICHAEL KING and others did place and cause to be placed in authorized depositories for mail matter to be delivered by the United States Postal Service items of mail matter, to wit: written information pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card.

(Title 18, United States Code, Sections 1341, 2 and 3551 et seq.)

COUNT SEVENTY-TWO

(Conspiracy to Embezzle Union Assets - Laborers' Local 731)

327. On or about and between July 5, 2006 and November 27, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and MICHAEL KING, together with others, did knowingly and

intentionally conspire to commit offenses against the United States, to wit: embezzling, stealing and unlawfully and willfully abstracting and converting to their own use the moneys, funds, securities, property, and other assets of Local 731, to wit: an application document pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card, in exchange for approximately \$4,000, the objects of said conspiracy being violations of Title 29, United States Code, Section 501(c).

328. In furtherance of the conspiracy and to effect its objectives, the defendants NICHOLAS CALVO, LEONARD DIMARIA and MICHAEL KING, together with others, committed and caused to be committed, among others, the following:

OVERT ACTS

a. On or about July 5, 2006, the defendant LEONARD DIMARIA asked John Doe #4 to acquire union work for John Doe #14, an individual whose identity is known to the grand jury.

b. On or about July 6, 2006, defendants NICHOLAS CALVO and MICHAEL KING met with John Doe #4 to discuss acquiring union work for John Doe #14.

c. On or about July 6, 2006, the defendant MICHAEL KING told John Doe #4 that it would cost \$4,000 for him to obtain union work for John Doe #14.

d. On or about July 19, 2006, the defendant MICHAEL KING met with John Doe #4 to discuss John Doe #4's attempt to obtain union work for John Doe #14.

e. On or about July 19, 2006, the defendant MICHAEL KING again told John Doe #4 that the cost of obtaining union work for John Doe #14 was \$4,000.

f. On or about November 3, 2006, John Doe #4 paid the defendant MICHAEL KING \$4,000 for obtaining union work for John Doe #14.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT SEVENTY-THREE  
(Embezzlement of Union Assets - Laborers' Local 731)

329. On or about and between July 5, 2006 and November 27, 2006, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS CALVO, LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and MICHAEL KING, together with others, while the defendant MICHAEL KING was a person employed by Local 731, did embezzle, steal and unlawfully and willfully abstract and convert to their own use the moneys, funds, securities, property, and other assets of

Local 731, to wit: an application document pertaining to an individual proposed for membership in the LIUNA and a LIUNA membership card, in exchange for approximately \$4,000.

(Title 29, United States Code, Section 501(c); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT SEVENTY-FOUR  
(Illegal Gambling - Joker/Poker Machines)

330. In or about and between November 2006 and February 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants VINCENT DRAGONETTI, ABID GHANI, also known as "Han," EDDIE JAMES and FRANK VASSALLO, also known as "Frankie," together with others, knowingly and intentionally conducted, financed, managed, supervised, directed and owned all or part of an illegal gambling business, to wit: a gambling business involving the use of joker/poker type gambling machines, which operated in violation of the laws of the State of New York, to wit: New York Penal Law Sections 225.30(a)(2) and 20.00, which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of the business and which remained in substantially continuous operation for a period in excess of thirty days and had a gross revenue of at least \$2,000 in any single day.

(Title 18, United States Code, Sections 1955, 2 and 3551 et seq.)

COUNT SEVENTY-FIVE

(Extortion Conspiracy - Staten Island Cement Company Sale)

331. In or about and between March 2007 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DOMENICO CEFALU, also known as "Italian Dom," "Dominic," "Dom from 18<sup>th</sup> Avenue" and "The Greaseball," JOSEPH COROZZO, also known as "JoJo" and "Miserable," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," JOHN D'AMICO, also known as "Jackie the Nose" and "Jackie," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and AUGUSTUS SCLAFANI, also known as "Gus" and "Gus Boy," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money relating to the sale of John Doe #4's Staten Island cement company, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SEVENTY-SIX

(Extortion - Staten Island Cement Company Sale)

332. In or about and between March 2007 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants DOMENICO CEFALU, also known as "Italian Dom," "Dominic," "Dom from 18<sup>th</sup> Avenue" and "The Greaseball," JOSEPH COROZZO, also known as "JoJo" and "Miserable," NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," JOHN D'AMICO, also known as "Jackie the Nose" and "Jackie," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and AUGUSTUS SCLAFANI, also known as "Gus" and "Gus Boy," together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: money relating to the sale of John Doe #4's Staten Island cement company, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)



COUNT SEVENTY-SEVEN

(Extortion Conspiracy - Cement Powder Deliveries)

333. In or about and between October 2007 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: cash payments relating to John Doe #4's delivery of cement powder to the Liberty View Harbor construction site, from John Doe #4, with the consent of John Doe #4, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SEVENTY-EIGHT

(Extortion - Cement Powder Deliveries)

334. In or about and between October 2007 and January 2008, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants

NICHOLAS COROZZO, also known as "Nicky," "Little Nicky," "The Doctor," "The Little Guy," "Seymour," "Grandpa" and "Grandfather," LEONARD DIMARIA, also known as "Lenny," "L," "The Conductor," "Nike," "Uncle" and "Fatso," and VINCENT DRAGONETTI, also known as "Vinny," "Skinny," "Mike," "Mikey" and "Marbles," did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others obtained property, to wit: cash payments relating to John Doe #4's delivery of cement powder to the Liberty View Harbor construction site, from John Doe #4, with the consent of John Doe #4, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT SEVENTY-NINE

(Extortion Conspiracy - Staten Island Cement Company Sale)

335. In or about January 2008, within the Eastern District of New York and elsewhere, the defendants THOMAS CACCIOPOLI, also known as "Tommy Sneakers," and JOSEPH SCOPO, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others agreed to obtain property, to wit: money from John Doe #13 in connection with the sale of a Staten Island cement

company, from John Doe #13, with the consent of John Doe #13, which consent was to be induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT EIGHTY

(Attempted Extortion - Staten Island Cement Company Sale)

336. In or about January 2008, within the Eastern District of New York and elsewhere, the defendants THOMAS CACCIOPOLI, also known as "Tommy Sneakers," and JOSEPH SCOPO, together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by extortion, in that the defendants and others attempted to obtain property, to wit: money from the sale of a Staten Island cement company, from John Doe #13, with

the consent of John Doe #13, which consent was induced through wrongful use of actual and threatened force, violence and fear.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

A TRUE BILL

  
FOREPERSON

  
BENTON J. CAMPBELL  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK



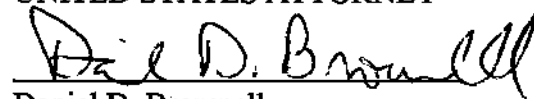
INFORMATION SHEET

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

1. Title of Case: United States v. Agate et. Al.
2. Related Magistrate Docket Number(s) \_\_\_\_\_  
None ( )
3. Arrest Date: 2/7/08 **LEVY M.J.**
4. Nature of offense(s): ☒ Felony  
☐ Misdemeanor
5. Related Civil or Criminal Cases - Title and Docket No(s). (Pursuant to Rule 50.3 of the Local E.D.N.Y. Division of Business Rules): 00 CR. 1248 (NGG), 06 Cr. 815(BMC)
6. Projected Length of Trial: Less than 6 weeks ( )  
More than 6 weeks (X)
7. County in which crime was allegedly committed: Brooklyn  
(Pursuant to Rule 50.1(d) of the Local E.D.N.Y. Division of Business Rules)
8. Has this indictment been ordered sealed? (X) Yes ( ) No
9. Have arrest warrants been ordered? (X) Yes ( ) No
10. Is a capital count included in the indictment? ( ) Yes (X) No

BENTON J. CAMPBELL  
UNITED STATES ATTORNEY

By:



Daniel D. Brownell  
Assistant U.S. Attorney  
(718) 254-6392